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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2003 No.**

**The Cairngorms National Park Designation, Transitional  
and Consequential Provisions (Scotland) Order 2003**

**Consequential amendments**

**15.**—(1) Schedule 3 to the Ethical Standards in Public Life (Scotland) Act 2000<sup>(1)</sup> is amended by the insertion, after the entry for “The Royal Commission on the Ancient and Historical Monuments of Scotland” of “The Cairngorms National Park Authority”.

(2) For the purpose of the operation of section 15 of the 2000 Act in that part of the National Park to which the 1993 Act<sup>(2)</sup> applies—

- (a) a grazings committee appointed under section 47 of the 1993 Act may, with the consent of a majority of the crofters ordinarily resident in the township, enter into an access agreement in relation to any part of the common grazings and may agree to the revocation or variation of any such agreement, and such agreement, revocation or variation shall be binding upon all the crofters who share in the common grazings and upon their successors;
- (b) where any agreement referred to in the last foregoing sub-paragraph contains a provision for the making of a payment, the payment shall be made to the grazings committee and shall be applied by them—
  - (i) in the case of a payment in consideration of the making of the agreement, either
    - (aa) by division among the crofters who share in the common grazings in proportion to their respective rights therein; or
    - (bb) subject to sub-paragraph (c) below, in carrying out works for the improvement of the common grazings or the fixed equipment required in connection therewith;
  - (ii) in the case of a payment in respect of expenditure incurred in consequence of the agreement, by defraying or contributing towards that expenditure;
- (c) a grazings committee to whom such a payment as is referred to in paragraph (i) of sub-paragraph (b) above has been made and who are proposing to apply the payment in carrying out works in accordance with paragraph (ii) of that sub-paragraph shall give notice in writing to each crofter sharing in the common grazings of their proposals; and any such crofter may within one month of the date of such notice make representations in respect of the proposals to the Crofters Commission who may approve them with or without modifications or reject them; and
- (d) in this paragraph “crofter” has the same meaning as in section 3 of the 1993 Act.

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(1) 2000 asp 7.

(2) 1993 c. 44.